

**BALLT ACCESS CHECKLIST  
FOR 2020 MUNICIPAL CANDIDATES  
WHERE NOMINATION PAPERS ARE USED**



Each of the following forms must be completed and filed on time by a candidate for municipal office in order for the candidate's name to be placed on the ballot at the **February 18, 2020 Spring Primary** and the **April 7, 2020 Spring Election**.

In the City of Milwaukee, the filing officer is the Milwaukee City Election Commission. In all other municipalities, the filing officer is the municipal clerk. Candidates should contact their filing officer for further information or to obtain any of the necessary forms.

- ☐ **Complete and Submit a Registration Statement (Form CF-1)** to the filing officer no later than **5 p.m. on Tuesday, January 7, 2020** or the candidate's name will not be placed on the ballot. If the form is faxed or emailed, the original document must follow postmarked no later than January 7, 2020. Wis. Stat. §§ 8.10(5), 8.30(2), Wis. Admin. Code EL § 6.04.
  - New Candidates  
File a campaign registration statement before campaign funds are collected or spent or before submitting nomination papers. Wis. Stat. §§ 11.0202(1)(a), 11.0101(1).
  - Continuing Candidates  
Amend your current registration, indicating the office sought and the new primary and election dates before funds are collected or spent or before submitting nomination papers. Wis. Stat. §§ 11.0202(1)(a), 11.0101(1).
- ☐ **Complete and Submit a Declaration of Candidacy (Form EL-162)** to the filing officer no later than **5 p.m. on Tuesday, January 7, 2020** or the candidate's name will not be placed on the ballot. If the form is faxed or emailed, the original document must follow, postmarked no later than January 7, 2020. Wis. Stat. §§ 8.10(5), 8.21, 8.30(4), Wis. Admin. Code EL § 6.04.
- ☐ **Circulate and Submit Nomination Papers for Nonpartisan Office (Form EL-169)** to the filing officer no later than **5 p.m. on Tuesday, January 7, 2020** or the candidate's name will not be placed on the ballot. Only original nomination papers (no photocopies, faxes, or emailed documents) will be accepted. Nomination papers may not be circulated before December 1, 2019. Wis. Stat. § 8.10(2), Wis. Admin. Code EL § 6.04(2).

**The number of signatures required is as follows:**

All village and town offices:		20 - 100
1 <sup>st</sup> Class Cities:	Citywide offices	1,500 - 3,000
	Aldersperson elected to district	200 - 400
2 <sup>nd</sup> and 3 <sup>rd</sup> Class Cities:	Citywide offices	200 - 400
	Aldersperson elected at large	100 - 200
	Aldersperson elected to district	20 - 40
4 <sup>th</sup> Class Cities:	Citywide offices	50 - 100
	Aldersperson elected to district	20 - 40

- ☐ **Municipal Judge Candidates:**  
**Complete and submit a Statement of Economic Interests (SEI)** to the Ethics Commission using the website (<https://sei.wi.gov>). Faxed or emailed forms are also acceptable. The SEI must be received no later than 4:30 p.m. on Friday, January 10, 2020, or the candidate's name will not appear on the ballot. Wis. Stat. §§ 8.10(5), 8.30(3), 19.43(4). Candidates may print the Statement of Economic Interests form and instructions from the Ethics Commission website (<https://sei.wi.gov>). For more information regarding Statements of Economic Interests, please contact the Ethics Commission at 608-266-8123 or [ethics@wi.gov](mailto:ethics@wi.gov).

**Important Note Regarding Statements of Economic Interests:**

A municipality may enact an ordinance establishing a code of ethics for public officials that may require a candidate for municipal office, *in addition to the office of Municipal Judge*, to file a *Statement of Economic Interests* (SEI). The ordinance may also provide that failure to timely file a *Statement of Economic Interests* will prevent the candidate's name from being placed on the ballot. Wis. Stat. § 19.59(1m),(3)(b). Please contact the filing officer to learn if this requirement applies to you.



# CAMPAIGN FINANCE REGISTRATION STATEMENT

## STATE OF WISCONSIN

Note: An amended registration statement must be filed within 10 days of any changes in information.

1. Is this an Amendment? ☐ No ☐ Yes If yes, please enter your committee number:

Committee Number

### SECTION A: GENERAL INFORMATION

A1. Candidate Committee/Committee/Conduit Name		A2. Registrant Type (Choose One) <input type="checkbox"/> Candidate <input type="checkbox"/> Referendum <input type="checkbox"/> Recall <input type="checkbox"/> Conduit <input type="checkbox"/> Political Action (PAC) <input type="checkbox"/> Independent Expenditure (IEC) <input type="checkbox"/> Political Party <input type="checkbox"/> Legislative Campaign Committee	
A3. Email	A4. Phone		
A5. Mailing Address		A6. City	A7. State A8. Zip
Depository Institution Information			
A9. Institution Name	A10. Street Address	A11. City	A12. State A13. Zip
Treasurer/Administrator Information			
A14. Name	A15. Email	A16. Phone	
A17. Mailing Address	A18. City	A19. State	A20. Zip
Other Officers (Optional) <i>Independent and local non-partisan candidates: Indicate by an asterisk (*) which officers are authorized to fill a vacancy in nomination due to death of candidate.</i>			
A21. Name	A22. Title	A23. Email	A24. Phone
A25. Name	A26. Title	A27. Email	A28. Phone
Filing Exemption <i>Registrants that will not accept contributions, make disbursements, or incur obligations in an aggregate amount of more than \$2,000 in a calendar year are eligible for exemption from filing campaign finance reports. Exempt status is effective only for the calendar year in which it is granted. Registrants wishing to remain on exempt status must renew each year. Candidates may not claim exemption in the year of their election before the day they appear on the ballot.</i>		A29. Exemption Affirmation <input type="checkbox"/> Yes, this registrant is eligible for exemption <input type="checkbox"/> No, this registrant is not eligible for exemption	

### SECTION B: CANDIDATE COMMITTEES

B1. Office Sought (include District/Branch)		B2. Political Party	B3. Election Date
Candidate Information			
B4. Name	B5. Email	B6. Phone	
B7. Mailing Address	B8. City	B9. State	B10. Zip
Second Candidate Committee <i>An individual who holds a state or local elective office may establish a second candidate committee to pursue another state or local office.</i>		B11. Is this your only registered candidate committee in Wisconsin? <input type="checkbox"/> Yes, this is my only candidate committee in Wisconsin <input type="checkbox"/> No, this is my second candidate committee in Wisconsin	
B12. Other Office Held or Sought (include District/Branch) Only complete B12 if you responded "No" to B11.			

### SECTION C: RECALL COMMITTEES

C1. Name of Official Subject to Recall	C2. Office of Official Subject to Recall	C3. <input type="checkbox"/> Support <input type="checkbox"/> Oppose
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# CAMPAIGN FINANCE REGISTRATION STATEMENT

## STATE OF WISCONSIN

**Note:** An amended registration statement must be filed within 10 days of any changes in information.

### SECTION D: PAC, IEC, AND CONDUITS

D1. Sponsoring Organization	D2. Email	D3. Phone	
D4. Mailing Address	D5. City	D6. State	D7. Zip

### SECTION E: POLITICAL PARTY & LEGISLATIVE CAMPAIGN COMMITTEES

E1. Political Party (Name candidates appear under on a ballot)		E2. Does the Committee have a Segregated Fund? <input type="checkbox"/> No <input type="checkbox"/> Yes		
Segregated Fund Depository Institution Information (if applicable)				
E3. Institution Name	E4. Street Address	E5. City	E6. State	E7. Zip

### SECTION F: REFERENDA COMMITTEES

F1. Nature of Referendum (if applicable)	F2. <input type="checkbox"/> Support <input type="checkbox"/> Oppose
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### SECTION G: CERTIFICATION

<b>Accurate Information</b> <i>I certify that I am an authorized representative of the registrant and that to my knowledge all of the information contained within this registration is true, correct, and complete.</i>		
<b>Timely Amendments</b> <i>I am aware of the requirement to amend this registration statement within 10 days of any change of information contained within, as well as the requirement to register within 10 days of meeting the requirements to register under Chapter 11 of Wisconsin Statutes.</i>		
<b>Records Retention</b> <i>I further acknowledge the requirement to maintain the records of the registrant in an organized and legible manner for three years from the date of the most recent election in which this registrant participated.</i>		
<b>Ongoing Compliance</b> <i>This registrant shall continue to maintain its registration and comply with all applicable reporting requirements under Chapter 11 of Wisconsin Statutes.</i>		
<b>Treasurer/Administrator</b>		
G1. Printed Name	G2. Signature	G3. Date
<b>Candidate (if applicable)</b>		
G4. Printed Name	G5. Signature	G6. Date



## FORM INSTRUCTIONS

### CAMPAIGN FINANCE REGISTRATION STATEMENT (CF-1)

**Note:** Use of this form is required by the Ethics Commission for registration of a political committee or conduit under Chapter 11 of Wisconsin Statute. Completion of this form is mandatory for committees that file on paper. It is not the Commission's intention to use any personally identifiable information from this form for any other purpose.

**Item 1. Is this an amendment?** Check the appropriate box. If "Yes" is checked, enter the committee ID number if you have one. If "No" is checked, proceed directly to Section A.

**Section A: General Information.** All candidates, committees, and conduits must complete section A.

**Item A1: Committee/Conduit Name.** All committees and conduits must have a name. It is not required that the name include the candidate or organization's name, but it is recommended, e.g., Friends of John Smith. A political party committee wishing to operate under the same name as a state political party committee must receive authorization from that state party (WIS. STAT. § 11.0101(26)(a)1).

**Depository Institution Information.** All committees and conduits must designate a depository institution. While it is recommended that all committees have a designated campaign depository account, candidates who will serve as their own treasurer may designate a single personal account to serve as the committee depository account and may intermingle personal and campaign funds (WIS. STAT. § 11.0201(2)(b)).

**Treasurer/Administrator Information.** Each committee must appoint a treasurer and each conduit must appoint an administrator. Any adult may serve as a treasurer or administrator. A candidate may serve as his or her own treasurer. If a candidate is serving as their own treasurer, this section may be left blank.

**Section B: Candidate Committees.** Candidate committees must complete section B. No other committee type should complete section B.

**Section C: Recall Committees.** Recall committees must complete section C. No other committee type should complete section C.

**Section D: PAC, IEC, and Conduits.** Political action committees, independent expenditure committees, and conduits must complete section D. No other committee type should complete section B. All fields in section D refer to the sponsoring organization's contact information.

**Section E: Political Party and Legislative Campaign Committees.** Only political party committees and legislative campaign committees should complete section E.

**Item E2.** A political party or a legislative campaign committee may establish a segregated fund for purposes other than making contributions to a candidate committee or making disbursements for express advocacy (WIS. STAT. § 11.1104(6)). It is recommended that the committee maintain the segregated fund in a depository account separate from the primary account, but it is not required.

**Items E3 - E7.** If the segregated fund is maintained with the same depository institution as the primary account, write "Same as primary account." in E3.

**Section F: Referendum Committees.** Only referenda committees should complete section F.

**Section G: Certification.** All committees and conduits must complete section G.

# Declaration of Candidacy

(See instructions for preparation on back)

FOR OFFICE USE ONLY

Is this an amendment?

☐ **Yes** (if you have already filed a DOC for this election)

☐ **No** (if this is the first DOC you have filed for this election)

I, \_\_\_\_\_, being duly sworn, state that  
Candidate's name

I am a candidate for the office of \_\_\_\_\_  
Official name of office - Include district, branch or seat number

representing \_\_\_\_\_  
If partisan election, name of political party or statement of principle - five words or less (Candidates for nonpartisan office may leave blank.)

and I meet or will meet at the time I assume office the applicable age, citizenship, residency and voting qualification requirements, if any, prescribed by the constitutions and laws of the United States and the State of Wisconsin, and that I will otherwise qualify for office, if nominated and elected.

I have not been convicted of a felony in any court within the United States for which I have not been pardoned.<sup>1</sup>

**My present address, including my municipality of residence for voting purposes is:**

				Town of <input type="checkbox"/>
				Village of <input type="checkbox"/>
				City of <input type="checkbox"/>
House or fire no.	Street Name	Mailing Municipality and State	Zip code	Municipality of Residence for Voting

**My name as I wish it to appear on the official ballot is as follows:**

(Any combination of first name, middle name or initials with surname. A nickname may replace a legal name.)

STATE OF WISCONSIN

County of \_\_\_\_\_  
(County where oath administered)

}

ss.

\_\_\_\_\_  
(Signature of candidate)

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
(Signature of person authorized to administer oaths)

**NOTARY SEAL  
REQUIRED, IF OATH  
ADMINISTERED BY  
NOTARY PUBLIC**

☐ Notary Public or ☐ other official \_\_\_\_\_  
(Official title, if not a notary)

If Notary Public: My commission expires \_\_\_\_\_ or ☐ is permanent.

The information on this form is required by Wis. Stat. § 8.21, Art. XIII, Sec. 3, Wis. Const., and must be filed with the filing officer in order to have a candidate's name placed on the ballot. Wis. Stats. §§ 8.05 (1)(j), 8.10 (5), 8.15 (4)(b), 8.20 (6), 120.06 (6)(b), 887.01.

EL-162 | Rev. 2018-04 | Wisconsin Elections Commission, P.O. Box 7984, Madison, WI 53707-7984  
608-266-8005 | web: elections.wi.gov | email: elections@wi.gov

<sup>1</sup> A 1996 constitutional amendment bars any candidate convicted of a misdemeanor which violates the public trust from running for or holding a public office. However, the legislature has not defined which misdemeanors violate the public trust. A candidate convicted of any misdemeanor is not barred from running for or holding a public office until the legislature defines which misdemeanors apply.

## Instructions for Completing the Declaration of Candidacy

All candidates seeking ballot status for election to any office in the State of Wisconsin must properly complete and file a **Declaration of Candidacy**. This form must be **ON FILE** with the proper filing officer no later than the deadline for filing nomination papers or the candidate's name will not appear on the ballot. A facsimile will be accepted if the FAX copy is received by the filing officer no later than the filing deadline **and** the signed original declaration is received by the filing officer with a postmark no later than the filing deadline.

### **Information to be provided by the candidate:**

- Type or print your name on the first line.
- The title of the office and **any district, branch, or seat number** for which you are seeking election must be inserted on the second line. *For legislative offices insert the title and district number, for district attorneys insert the title and the county, for circuit court offices insert the title, county and branch number, and for municipal and school board offices insert the title and any district or seat number.*
- Type or print the political party affiliation or principle supported by you in five words or less on the third line. *Nonpartisan candidates may leave this line blank.*
- **Felony convictions:** Your name cannot appear on the ballot if you have been convicted of a felony in any court in the United States for which you have not been pardoned. Please see footnote on page 1 for further information with respect to convictions for misdemeanors involving a violation of public trust. ***These restrictions only apply to candidates for state and local office.***
- Your current address, including your municipality of residence for voting purposes, must be inserted on the fourth line. This must include your entire mailing address (**street and number, municipality where you receive mail**) and the name of the municipality in which you reside and vote (town, village, or city of \_\_\_\_). If your address changes before the election, an amended Declaration of Candidacy must be filed with the filing officer. Wis. Stat. § 8.21. *Federal candidates are not required to provide this information, however an address for contact purposes is helpful.*
- Type or print your name on the fifth line as you want it to be printed on the official ballot. You may use your full legal name, or any combination of first name, middle name, and initials, or nickname with last name.

**Note:** The Wisconsin Elections Commission has determined that, absent any evidence of an attempt to manipulate the electoral process, candidates are permitted to choose any form of their name, including nicknames, by which they want to appear on the ballot.

No titles are permitted. In addition, names such as "Red" or "Skip" are permitted, but names which have an apparent electoral purpose or benefit, such as "Lower taxes," "None of the above" or "Lower Spending" are not permitted. It is also not permissible to add nicknames in quotes or parentheses. For example, John "Jack" Jones or John (Jack) Jones are not acceptable, but John Jones, Jack Jones or John Jack Jones are acceptable.

This form must be sworn to and signed in the presence of a notary public or other person authorized to administer oaths, such as a county or municipal clerk. Wis. Stat. §§ 8.21(2), 887.01(1).

### **Information to be provided by the person administering the oath:**

- The county where the oath was administered.
- The date the Declaration of Candidacy was signed and the oath administered.
- The signature and title of the person administering the oath. If signed by a notary public, the notary seal is required and the date the notary's commission expires must be listed.

All candidates for offices using the nomination paper process and all school district candidates must file this form with the appropriate filing officer no later than the deadline for filing nomination papers. Wis. Stats. §§ 8.10 (5), 8.15 (4)(b), 8.20 (6), 8.21, 8.50 (3)(a), 120.06 (6)(b).

Candidates nominated for local office at a caucus must file this form with their municipal clerk within 5 days of receiving notice of nomination. Wis. Stat. § 8.05 (l)(j).



# State of Wisconsin \ Elections Board

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KEVIN J. KENNEDY  
Executive Director

## MEMORANDUM

**TO:** County and Municipal Clerks

**FROM:** Kevin J. Kennedy, Executive Director  
State Elections Board

**DATE:** July 1, 1997

**SUBJECT:** Effect of Constitutional Amendment Barring Convicted Felons from Running for or Holding Elective Office in Wisconsin

In November 1996, the electors of the State of Wisconsin ratified a constitutional amendment which bars any person, who has been convicted of a felony for which they have not been pardoned, or who has been convicted of a misdemeanor involving a violation of public trust for which they have not been pardoned, from holding a state or local office. As a result of the adoption of this constitutional amendment, which took effect on November 5, 1996, local election officials will have to address a number of questions relating to convicted felons who seek to run for office or who are elected to office.

The constitutional amendment deals with two different types of crimes. The first involves felony convictions. Any person convicted of a felony in any federal or state court in the United States is barred from running for state or local office in Wisconsin, unless that person has been pardoned.

The second involves misdemeanor convictions involving a violation of public trust. The term, "misdemeanor involving a violation of public trust," has not been defined by state law. Filing officers do not have to worry about individuals convicted of that category of crime until the term has been defined. At the present time, there is no such thing as a misdemeanor involving a violation of public trust.

The State Elections Board staff has revised the Declaration of Candidacy form (EB-162) to reflect this constitutional change. Any person seeking to be a candidate for state or local office must file a Declaration of Candidacy. That declaration contains a sworn statement that the person has not been convicted of any felony for which they have not been pardoned, or any misdemeanor involving a violation of public trust for which they have not been pardoned. Any person who falsely signs this statement could be convicted of a violation of S. 12.13(3)(a), (am), Wis. Stats. If a person seeking to become a candidate advises you that they have been convicted of a felony, your best approach is to advise them that they cannot be a candidate and discourage them from filing ballot access documents, including nomination papers, a Declaration of Candidacy and Campaign Registration Statement.

## COUNTY AND MUNICIPAL CLERKS

July 1, 1997

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If it is brought to your attention that a person who is a convicted felon has filed ballot access documents, the matter needs to be resolved in consultation with your municipal or county attorney. It is the position of the State Elections Board that you should only act on information that has been presented to you, in the form of a sworn complaint, alleging that a person has been convicted of a felony and evidence is provided in support of that allegation. Your municipal attorney can assist you in verifying the basis of the complaint.

Once it has been determined that a candidate or an elected official has been convicted of a felony, the municipal attorney can assist you in removing the person's name from the ballot or take appropriate steps to have the person removed from office. A formal notice should be sent to the candidate or elected official informing that person of the filing officer's decision to remove his or her name from the ballot.

This change to Wisconsin law regarding candidate qualifications and the qualifications of elected public officials does not require the municipal clerk to verify that every elected official or candidate for elected public office has not been convicted of a felony for which they have not been pardoned. The clerk should rely on the sworn statement of the candidate on the Declaration of Candidacy. No action should be taken unless there is evidence, in the form of a sworn complaint, setting forth allegations which establish that a candidate or elected official has been convicted a felony for which they have not been pardoned.



# NOMINATION PAPER FOR NONPARTISAN OFFICE

Candidate's name (required); no titles may be used.		Candidate's residential address (required) No P.O. box addresses Street, fire, or rural route number; box number (if rural route); and name of street or road		Candidate's municipality for voting purposes (required) <input type="checkbox"/> Town <input type="checkbox"/> Village <input type="checkbox"/> City (name of municipality)	
Candidate's mailing address, including municipality for mailing purposes (required if different than residential address or voting municipality)		State (required) <b>WI</b>	Zip code	Type of election (required) <input type="checkbox"/> spring <input type="checkbox"/> special	Election date (required) Do not use primary date. Mo/Day/Year
Title of office (required)		Branch, district or seat number (required if applicable) <input type="checkbox"/> Branch <input type="checkbox"/> District <input type="checkbox"/> Seat		Name of jurisdiction or district in which candidate seeks office (required)	

I, the undersigned, request that the candidate, whose name and residential address are listed above, be placed on the ballot at the election described above as a candidate so that voters will have the opportunity to vote for ☐ him or ☐ her for the office listed above. I am eligible to vote in the jurisdiction or district in which the candidate named above seeks office. I have not signed the nomination paper of any other candidate for the same office at this election.

The municipality used for mailing purposes, when different than municipality of residence, is not sufficient. The name of the municipality of residence must always be listed.					
Signatures of Electors	Printed Name of Electors	Residential Address (No P.O. Box Addresses) Street and Number or Rural Route (Rural address must also include box or fire no.)	Municipality of Residence Check the type and write the name of your municipality for voting purposes. <input type="checkbox"/> Town <input type="checkbox"/> Village <input type="checkbox"/> City	Date of Signing Mo/Day/Year	
1.			<input type="checkbox"/> Town <input type="checkbox"/> Village <input type="checkbox"/> City		
2.			<input type="checkbox"/> Town <input type="checkbox"/> Village <input type="checkbox"/> City		
3.			<input type="checkbox"/> Town <input type="checkbox"/> Village <input type="checkbox"/> City		
4.			<input type="checkbox"/> Town <input type="checkbox"/> Village <input type="checkbox"/> City		
5.			<input type="checkbox"/> Town <input type="checkbox"/> Village <input type="checkbox"/> City		
6.			<input type="checkbox"/> Town <input type="checkbox"/> Village <input type="checkbox"/> City		
7.			<input type="checkbox"/> Town <input type="checkbox"/> Village <input type="checkbox"/> City		
8.			<input type="checkbox"/> Town <input type="checkbox"/> Village <input type="checkbox"/> City		
9.			<input type="checkbox"/> Town <input type="checkbox"/> Village <input type="checkbox"/> City		
10.			<input type="checkbox"/> Town <input type="checkbox"/> Village <input type="checkbox"/> City		

## CERTIFICATION OF CIRCULATOR

I, \_\_\_\_\_ (Name of circulator) certify: I reside at \_\_\_\_\_ (Circulator's residential address - Include number, street, and municipality.)

I further certify I am either a qualified elector of Wisconsin, or a U.S. citizen, age 18 or older who, if I were a resident of this state, would not be disqualified from voting under Wis. Stat. §6.03. I personally circulated this nomination paper and personally obtained each of the signatures on this paper. I know that the signers are electors of the jurisdiction or district the candidate seeks to represent. I know that each person signed the paper with full knowledge of its content on the date indicated opposite his or her name. I know their respective residences given. I intend to support this candidate. I am aware that falsifying this certification is punishable under Wis. Stat. § 12.13(3)(a).

(Date)

(Signature of circulator)

## INSTRUCTIONS FOR PREPARING NOMINATION PAPERS FOR NONPARTISAN OFFICE

This is a sample nomination paper form. It conforms to the statutory requirements for nomination papers for nonpartisan office. All information concerning the candidate must be completed in full before circulating this form to obtain signatures of electors. All information concerning the signing electors and the circulator must be completed in full before filing with the appropriate filing officer. This form may be reproduced in any way. A candidate's picture and biographical data may also be added to this form. The Wisconsin Elections Commission has determined that no disclaimer or other attribution statement is required on nomination papers. Candidates are advised to send a sample of their completed form the filing officer for review before circulation.

**Page Numbers** – Number each page consecutively, beginning with "1", before submitting to the filing officer. A space for page numbers has been provided in the lower right-hand corner of the form.

**Candidate's Name** – Insert the candidate's name. A candidate may use his or her full legal name, or any combination of first name, middle name, and initials or nickname with last name. The Wisconsin Elections Commission has determined that, absent any evidence of an attempt to manipulate the electoral process, candidates are permitted to choose any form of their name, including nicknames, by which they want to appear on the ballot.

No titles are permitted. In addition, names such as "Red" or "Skip" are permitted, but names which have an apparent electoral purpose or benefit, such as "Lower taxes," "None of the above" or "Lower Spending" are not permitted. It is also not permissible to add nicknames in quotes or parentheses between first and last names. For example, John "Jack" Jones or John (Jack) Jones are not acceptable, but John Jones, Jack Jones or John Jack Jones are acceptable.

**Candidate's Address** – Insert the candidate's residential address (no P.O. Box addresses) and the municipality for voting purposes. Indicate if the municipality of residence is a town, village, or city. If a candidate's mailing address is different from the residential address or voting municipality, a complete mailing address must also be given.

**Date of Election** – Insert the date of the election. If the nomination paper is being circulated for a spring election, the date is the first Tuesday in April. If the election is a special nonpartisan election, the date of the special election must be listed.

**Title of Office** – The name of the office must be listed **along with any branch, district, or seat number** (if applicable) that clearly identifies the office the candidate is seeking. If necessary, the name of the jurisdiction that identifies the office, such as Dane County Circuit Court Judge, Branch 3, must also be listed.

**Name of Jurisdiction** – The nomination papers must also indicate the municipality or jurisdiction in which the signing electors are qualified to vote, as it relates to the office sought by the candidate named on the nomination paper. For example, for a statewide office the jurisdiction is the State of Wisconsin. Others may be the county, town, village, city, aldermanic district, school district, or town sanitary district, as required.

**Signatures and Printed Name of Electors** – Only qualified electors of the jurisdiction or the district the candidate seeks to represent may sign the nomination papers. Each signer must also legibly print their name. Each elector must provide their **residential address** (no P.O. Box addresses), including any street, fire or rural route number, box number (if rural route) and street or road name, and municipality of residence. A post office box number alone does not show where the elector actually resides. The name of the Municipality of Residence must be listed for each signing elector and must clearly identify the town, village or city where the elector's voting residence is located. The date the elector signed the nomination paper, including month, day and year, must be indicated. Ditto marks that follow correct and complete address or date information are acceptable. The circulator may add any missing or illegible address or date information before the papers are filed with the filing officer.

**Signature of Circulator** – The circulator should carefully read the language of the *Certification of Circulator*. **THE CIRCULATOR MUST PERSONALLY PRESENT THE NOMINATION PAPER TO EACH SIGNER. THE NOMINATION PAPER MAY NOT BE LEFT UNATTENDED ON COUNTERS OR POSTED ON BULLETIN BOARDS.** The circulator's complete residential address including municipality of residence must be listed in the certification. **After** obtaining signatures of electors, the circulator must sign and date the certification.

**Other Instructions** – Candidates and circulators should review Ch. GAB §§ 2.05, 2.07, Wis. Adm. Code.

- *Original* nomination papers must be in the physical custody of the appropriate filing officer by the filing deadline. A postmark on the filing deadline is **NOT** sufficient. Nomination papers **CANNOT** be faxed to the filing officer. Ch. GAB § 6.04(2), Wis. Adm. Code.
- Nomination papers with the required number of signatures must be filed with the appropriate filing officer **no later than 5:00 p.m.** on the first Tuesday in January (or the next day if the first Tuesday is a holiday) before the spring election. Special elections may have different filing deadlines. Check with the filing officer.
- In order for a candidate's name to be placed on the ballot, a candidate must file a *Campaign Registration Statement* (ETHCF-1), a *Declaration of Candidacy* (EL-162), and *Nomination Papers* (EL-169) containing the appropriate number of signatures for the office sought no later than the filing deadline. Wis. Stat. § 8.10(3). Candidates for state office and municipal judge must also file a statement of economic interests with the Wisconsin Ethics Commission by the third business day after the nomination paper filing deadline. Wis. Stat. § 19.43. If any one of these required forms is not filed by the deadline, the candidate's name will not be placed on the ballot. Wis. Stat. § 8.30.
- If a candidate or circulator has any questions, he or she should contact the filing officer.

## CAMPAIGN FINANCE CHECKLIST FOR 2020 MUNICIPAL AND SCHOOL DISTRICT CANDIDATES

Candidates should determine if they are required to make financial disclosure reports.

For Milwaukee City offices, the filing officer is the Milwaukee City Board of Election Commissioners. For all other municipal offices, the filing officer is the municipal clerk. For school district offices, the filing officer is the school district clerk. Candidates should contact their filing officer for further information or to obtain any of the necessary forms. WIS. STATS. §§11.0102(1)(b), 11.0102(1)(d), 11.0102(3)(c)

### If NOT claiming the exemption from reporting requirements:

- ☐ Obtain a copy of the **Campaign Finance Overview – Local Candidates Manual** (Revised 2019) from your filing officer and carefully review it with your treasurer.
- ☐ Complete and submit a **January Continuing Campaign Finance Report (Form ETHCF-2L)** to the filing officer no later than **January 15, 2020**, if registered before January 1, 2020. This report covers activity from July 1, 2019, or the date of registration (whichever is later), through December 31, 2019. WIS. STATS. §§11.0204(2)(c), 11.0103(3)(a)2.
- ☐ Complete and submit a **Spring Pre-Primary Campaign Finance Report (Form ETHCF-2L)** to the filing officer no later than **February 10, 2020**, if a primary is held. This report covers activity from January 1, 2020, through February 3, 2020. WIS. STATS. §§11.0204(2)(a), 11.0103(3)(a)1.
- ☐ Complete and submit a **Spring Pre-Election Campaign Finance Report (Form ETHCF-2L)** to the filing officer, no later than **March 30, 2020**. This report covers activity from February 4, 2020, through March 23, 2020, if a primary is held, or January 1, 2020, through March 23, 2020, if no primary is held. WIS. STATS. §§11.0204(2)(b), 11.0204(3)(a), 11.0103(3)(a)1
- ☐ Complete and submit a **July Continuing Campaign Finance Report (Form ETHCF-2L)** to the filing officer no later than **July 15, 2020**. This report covers activity from March 24, 2020, through June 30, 2020. WIS. STATS. §§11.0204(2)(c), 11.0204(3)(b), 11.0103(3)(a)2.

**Committees must file “Continuing Reports” until a termination report (ETHCF-2L) is filed.** WIS. STATS. §11.0207. Note that an individual that has won the election and holding office is defined as a candidate, and therefore must remain registered and cannot terminate while in office. WIS. STATS. §§11.0202(1)(a), 11.0101(1)(b)

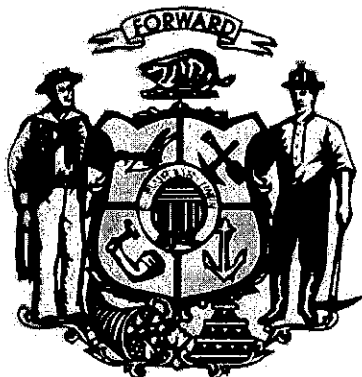
The 2010 Census shows the City of Green Bay with a population of 104,057.

For Alderperson:

Individual contribution limit is \$500.00

Candidate Committee contribution is \$500.00

Political Action Committee contribution limit is \$400.00



Wisconsin Ethics Commission

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# CAMPAIGN FINANCE OVERVIEW

## Local Candidate Committees

**Published: July 2019**

There has been no change in campaign finance statutes since March of 2016.

This manual has been updated to include specific statutory citations and clarify basic reporting requirements for local candidate committees.

Provided pursuant to WIS. STAT. § 11.1304(3) and  
in compliance with WIS. STAT. § 227.112.

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## REGISTRATION REQUIREMENTS

### Who is Required to Register?

Under Wisconsin campaign finance law, a candidate for election to public office must register a candidate committee with the appropriate filing officer. A candidate for local office must register with the appropriate filing officer as soon as is practicable after any of the following occur:

- (a) The individual takes any of the following affirmative actions to seek nomination or election to a state or local office:
  - 1. Files nomination papers with the appropriate filing officer;
  - 2. Is nominated as a candidate for state or local office by a caucus or by a political party and the nomination is certified to the appropriate filing officer;
  - 3. Receives a contribution, makes a disbursement, or gives consent for another person to receive a contribution or make a disbursement in order to bring about the individual's nomination or election to a state or local office;
- (b) The individual holds a state or local office and is the subject of a recall petition; or
- (c) The individual holds a state or local office.

WIS. STAT. §§ 11.0101(1), 11.0202(1)(a).

Appropriate filing officers are as follows:

<u>Office:</u>	<u>Filing Officer:</u>
County Executive	County Clerk
County Supervisor	County Clerk
County Clerk or County Treasurer	County Clerk
Clerk of Circuit Court	County Clerk
Coroner	County Clerk
Register of Deeds	County Clerk
Sheriff	County Clerk
Multi-Jurisdictional Judge*	County Clerk
Mayor, Village President	Municipal Clerk
Aldersperson, Village Trustee, Town Board Member	Municipal Clerk
Municipal Clerk or Municipal Treasurer [if elected]	Municipal Clerk
Municipal Judge	Municipal Clerk
School District Board Member	School District Clerk

Referendum committees acting to support or oppose a school district referendum shall file with the school district clerk.

\*If a multi-jurisdictional judge serves a district with municipalities in more than one county, the filing officer is the County Clerk in the county with the largest population within the district.

WIS. STAT. § 11.0102(1)(b)-(g).



A candidate who receives no contributions, makes no disbursements, and incurs no obligations need not designate a campaign depository account until the first contribution is received, disbursement is made, or obligation is incurred. WIS. STAT. § 11.0202(1)(b). The minimum amount of money needed to open an account can be deposited at a financial institution and a post office box can be rented before registration. WIS. STAT. § 11.0202(2)(b).

After filing the registration statement, a candidate may begin receiving and disbursing campaign funds. WIS. STAT. § 11.0202(2)(a). The candidate committee's financial activities must be reported to the appropriate filing officer on campaign finance reports, unless the committee has claimed an exemption from filing reports. WIS. STAT. §§ 11.0103, 11.0104. These reports will disclose information on the receipts, expenditures, incurred obligations and loans of the campaign. WIS. STAT. § 11.0204(1).

### **Completing a Registration Statement**

Registration statements are to be filed with the appropriate filing officer using the Ethics Commission's Campaign Finance Registration Statement ([https://ethics.wi.gov/Resources/CF-1\\_Registration\\_Statement.pdf](https://ethics.wi.gov/Resources/CF-1_Registration_Statement.pdf)). WIS. STAT. § 11.1304(1).

### **Required Information**

Information required on the registration statement as determined by statutes:

1. The name and mailing address of the candidate committee.
2. The name and mailing address of the candidate committee treasurer and any other custodian of books and accounts. Unless otherwise directed by the treasurer on the registration form and except as otherwise provided in this chapter or any rule of the commission, all mailings that are required by law or by rule of the commission shall be sent to the treasurer at the treasurer's address indicated upon the form.
3. In the case of a candidate committee of an independent candidate for partisan office or a candidate for nonpartisan county or municipal office, a list of the members of the committee, if any, whom the filing officer shall recognize as eligible to fill a nomination vacancy if the candidate dies before the election.
4. The name and address of the depository account of the candidate committee and of any other institution where funds of the committee are kept.

WIS. STAT. § 11.0203.

### **Guide for Filing the Campaign Finance Registration Statement (CF-1)**

#### **Section A. General Information**

This section must be completed by all candidates and candidate committees. It contains the information identifying the candidate committee.

##### **A1. Candidate Committee/Committee/Conduit Name**

The Ethics Commission recommends using something like "FIRST AND LAST NAME for OFFICE" for the committee name, so that any attribution/disclaimer statements placed on advertisements or yard signs make clear who paid for them.

##### **A2. Registrant Type**

Local candidate committees should choose "Candidate."

**A3-13. Contact and Depository Institution Information**

If the candidate committee does not have a separate address/PO box, phone number, email or depository account for the candidate committee, then the candidate should use their personal address, phone number, email and depository account.

**A14-20. Treasurer Information**

If the candidate is serving as their own treasurer, they should include their own contact information here.

**A21-28. Other Officers**

This section is intended to list other individuals that are helping on the campaign and is entirely optional. Local non-partisan candidates can list an individual here with an asterisk by their name which indicates they are to fill a vacancy if the candidate were to pass away.

**A29. Exemption**

Indicate whether the candidate committee will not accept contributions, make disbursements or incur obligations in aggregate of more than \$2,000 in a calendar year and therefore is eligible to claim an exemption from filing campaign finance reports.

**Section B. Candidate Committees**

**B1-3. Election Information**

List the office sought, including the district and branch and the election date. If the race is nonpartisan, then "nonpartisan" can be listed in B2.

**B4-10. Candidate Information**

This section should list the personal contact information of the candidate.

**B11-12. Second Candidate Committee**

If the candidate has an additional candidate committee, they should indicate it in this section.

**Section C-E: Other Committee Registration Information**

Local candidate committees do not need to fill out information in Sections C-E because those sections are for Recall, Political Action, Independent Expenditure, Political Party, Legislative Campaign, Referenda Committees and Conduits.

**Section G. Certification**

The candidate and treasurer certify the registration here with their signatures. If the candidate serves as the treasurer, they only need to sign once under "Candidate" in G4-G6.

**Amending a Registration Statement**

When any of the information reported on the registration statement changes, an amendment to the registration statement must be filed with the appropriate filing officer within **ten days**. WIS. STAT. § 11.0203(3)(a).

**Candidates Seeking More Than One Office**

An individual who holds a state or local elective office may establish a second candidate committee to pursue another state or local office. WIS. STAT. § 11.0202(2)(d). If a second committee is

established, that committee will register and file reports with the appropriate filing officer. WIS. STAT. § 11.0102.

#### **Failure to File a Registration Statement**

Failure to file the original registration statement by the deadline for filing nomination papers prevents a candidate's name from appearing on the ballot. WIS. STAT. §§ 8.15(4)(b), 8.30(2). If a required statement or amendment is not filed on time, the registrant may be subject to a civil penalty. WIS. STAT. § 11.1400(1).

## EXEMPTION FROM FILING CAMPAIGN FINANCE REPORTS

### Eligibility

Committees may be eligible for an exemption from filing campaign finance reports if the committee anticipates that it will not accept or make contributions, make disbursements, or incur loans and other obligations in an aggregate amount exceeding \$2,000 in a calendar year. WIS. STAT. § 11.0104. This includes the candidate's own contributions to their committee.

An indication of limited activity (exemption) under this section is effective only for the calendar year in which it is granted. WIS. STAT. § 11.0104(2). The Ethics Commission is seeking guidance from the Attorney General's office on interpreting and enforcing this statute. Pending that guidance or legislative change, the Ethics Commission is not requiring committees to renew their exemption status annually.

If a candidate committee wishes to renew its exempt status, it should file an amendment to the registration statement. Candidates on the ballot may claim an exemption when they first register or renew their exemption from the previous calendar year. However, **a candidate on the ballot in that calendar year, who did not claim the exemption on their original registration, may not amend her/his registration to claim the exemption** before the date of her/his election. WIS. STAT. § 11.0104(1)(b).

### Financial Records During Exemption

When a committee is exempt, it is not required to file any campaign finance reports. However, the candidate or treasurer is still required to keep financial records of all contributions to the committee and of all expenditures from the date of registration until three years from the date of the election in which the candidate participates. WIS. STAT. § 11.0201(4). If the term of office is longer than three years, the Ethics Commission recommends keeping all records covering the term for that office.

A candidate committee that is exempt from filing campaign finance reports and which the candidate serves as the treasurer may use a personal account as the campaign depository and intermingle campaign funds with personal and other funds. WIS. STAT. § 11.0201(2)(b).

### Revoking Exemption

If the committee exceeds the \$2,000 limit on contributions, disbursements, or obligations, the committee must amend its campaign registration statement by checking the box: "This registrant is no longer eligible to claim exemption," on the registration statement. An amendment to the registration statement must be filed with the appropriate filing officer within **ten days**. WIS. STAT. § 11.0203(3)(a). The committee is then required to file campaign finance reports beginning with the next regular report due after the earlier of either the date that the amended registration was filed or the date that the committee exceeded \$2,000 in aggregate contributions, disbursements, or obligations. WIS. STAT. § 11.0104(3).

## CONTRIBUTION LIMITS

All candidates running for elected office must abide by contribution limits that vary depending on the office sought and the population of the district.

Receiving Committee	From an Individual	From a Candidate Committee	From a PAC	From a Corporation/Union
Referendum	No limits	No limits	No limits	No limits
Recall Committee	No limits	No limits	No limits	\$0; Illegal
Local Candidate	Greater of \$500 or 2¢ times the population in the district  Not to exceed \$6,000.	Greater of \$500 or 2¢ times the population in the district. Not to exceed \$6,000	Greater of \$400 or 2¢ times the population in the district.  Not to exceed \$5,000.	\$0; Illegal

Districts of 20,000 inhabitants or less have an individual limit of \$500 and a PAC limit of \$400.

Districts with 300,000 inhabitants or more will have an individual limit of \$6,000 and a PAC limit of \$5,000.

Districts with more than 20,000 but less than 300,000 inhabitants will have varying individual limits between \$500 and \$6,000, and PAC limits between \$400 and \$5,000.

WIS. STAT. §§ 11.1101, 11.1104

The number of inhabitants in the jurisdiction or district is determined by the latest federal census or the census information on which the district is based, as certified by the appropriate filing officer.  
WIS. STAT. § 11.1101(2)(h)2.

### Definition of Campaign Period for Calculating Contribution Limits

For purposes of calculating contribution limits, a new candidate's campaign begins on the date a new candidate is required to file a registration statement, i.e., the date she or he becomes a candidate. WIS. STAT. § 11.1103(2). The campaign period includes both the primary and general election. The campaign period ends the day before the winning candidate begins her or his new term of office. WIS. STAT. § 11.1103(2).

For an incumbent candidate, the new campaign period begins on the day the candidate assumes office. WIS. STAT. § 11.1103(1). The campaign period runs through the primary and general election for that office and lasts until the day before the winning candidate begins his or her new term of office. Id.

### **Exceptions to Contribution Limits**

The following contributions to candidate committees may be made in unlimited amounts:

1. A candidate making contributions to their own campaign committee; (WIS. STAT. § 11.1104(7));
2. Political party committees or legislative campaign committees making contributions to candidate committees (WIS. STAT. § 11.1104(5)); or
3. Contributions used to pay legal fees and other expenses incurred in connection with a recount or petitions to recall an officer are not subject to contribution limits. To qualify for this exclusion, recall expenses must occur before the recall primary or election is ordered, or in contesting or defending the order. Contributions used to pay recount or recall expenses must be reported on the regular campaign finance reports. Both the contributor and the candidate should indicate which contributions are being used for this purpose (WIS. STAT. § 11.1104(9)-(11)).

## CONTRIBUTIONS AND DISBURSEMENTS

Candidate committees are required to make full reports of all contributions, disbursements, and obligations received, made and incurred by the committee. Each report needs to include information covering the period since the last date covered on the previous report. WIS. STAT. § 11.0204(1)(a).

### Contributions

“Contribution” means any of the following:

1. A gift, subscription, loan, advance, or transfer of money to a committee;
2. With the committee's consent under WIS. STAT. § 11.1109, a transfer of tangible personal property or services to a committee, valued as provided under WIS. STAT. § 11.1105;
3. A transfer of funds between committees; or
4. The purchase of a ticket for a fundraising event for a committee regardless of whether the ticket is used to attend the event.

WIS. STAT. § 11.0101(8)(a).

“Contribution” does not include any of the following:

1. Services that an individual provides to a committee, if the individual is not specifically compensated for providing the services to the committee;
2. Any unreimbursed travel expenses that an individual incurs to volunteer his or her personal services to a committee;
3. The costs of preparing and transmitting personal correspondence;
4. Interest earned on an interest-bearing account;
5. Rebates or awards earned in connection with the use of a debit or credit card;
6. A loan from a commercial lending institution that the institution makes in its ordinary course of business;
7. The reuse of surplus materials or the use of unused surplus materials acquired in connection with a previous campaign for or against the same candidate, political party, or recall if the materials were previously reported as a contribution;
8. The cost of invitations, food, and beverages in connection with an event held in a private residence on behalf of a candidate committee;
9. Any communication that does not expressly advocate for the election or defeat of a clearly identified candidate;
10. A communication made exclusively between an organization and its members. In this subdivision, a member of an organization means a shareholder, employee, or officer of the organization, or an individual who has affirmatively manifested an interest in joining, supporting, or aiding the organization;
11. Any cost incurred to conduct Internet activity by an individual acting in his or her own behalf, or acting in behalf of another person if the individual is not compensated specifically for those services, including the cost or value of any computers, software, Internet domain names, Internet service providers, and any other technology that is used to provide access to or use of the Internet, but not including professional video production services purchased by the individual; or
12. Any news story, commentary, or editorial by a broadcasting stations, cable television operator, producer, or programmer, Internet site, or newspaper or other periodical publication, including



an Internet or other electronic publication unless a committee owns the medium in which the news story, commentary, or editorial appears.

Wis. STAT. § 11.0101(8)(b).

#### Required Information for Contributions

1. The date, full name, and street address of each person who has made a contribution to the candidate committee, together with the amount of the contribution. Wis. STAT. § 11.0204(1)(a)1.
2. The occupation, if any, of each individual contributor whose cumulative contributions to the candidate committee for the calendar year are in excess of \$200. Wis. STAT. § 11.0204(1)(a)3.
3. An itemized statement of each contribution made anonymously to the candidate committee. If the contribution exceeds \$10, the candidate committee shall specify whether the candidate committee donated the contribution to the common school fund or to a charitable organization and shall include the full name and mailing address of the donee. Wis. STAT. § 11.0204(1)(a)4.
4. A statement of totals during the reporting period of contributions received and contributions donated. Wis. STAT. § 11.0204(1)(a)5.

#### In-Kind Contributions

An in-kind contribution is any good, service, or property offered to the candidate's campaign free of charge or at less than the usual cost, or payment of a registrant's obligations for such goods, services or property. Wis. STAT. § 11.0101(8)(a)2. For example, if a campaign worker purchases stamps that are used for a mailing and is not reimbursed for the cost of the stamps, the value of the stamps is an in-kind contribution to the candidate's campaign from that campaign worker. When an individual is paid to work on behalf of a candidate by a political committee or some other individual, the payment for those services is an in-kind contribution to the candidate's campaign. If a political committee or individual offers to provide food and beverages for a fundraiser at less than the ordinary market price, the difference between the ordinary market price and the cost to the campaign is an in-kind contribution from the political committee or individual. If another committee pays for a newspaper, radio, or TV ad, and coordinates with the candidate committee about the content, timing, or other details of that ad, that ad would be an in-kind contribution.

Before making an in-kind contribution, the contributor is required to notify the candidate, candidate's agent, or the administrator or treasurer of the committee, and obtain either oral or written consent to the contribution. Wis. STAT. § 11.1109. If the contributor does not know the actual value of the contribution, a good faith and reasonable estimate of the fair market value should be provided to the candidate committee before the closing date of the next campaign finance report in which the contribution is required to be listed. Wis. STAT. § 11.1105, Wis. ADMIN. CODE ETH 1.20(5).

In-kind contributions are subject to the same itemization thresholds and the same contribution limits as monetary contributions. Wis. STAT. § 11.0101(8). Monetary contributions and in-kind contributions from a single contributor are added together for the purposes of determining compliance with contribution limits and the year-to-date amount for a specific contributor. Wis. STAT. §§ 11.0101(8), 11.1103.

### Reporting In-Kind Contributions

An in-kind contribution received by the campaign committee is reported by the committee as **both a receipt and expenditure**. Reporting the amount of the in-kind contribution as a contribution allows the campaign to disclose the receipt of the contribution on its campaign finance report along with cash contributions received and track year to date and campaign period totals. To keep the committee's cash balance accurate, the amount of the in-kind is also reported as an expenditure. The two entries offset each other so as to not affect the committee's cash balance.

If an estimate of the value of an in-kind contribution is the only value available at the time the candidate is required to file a report, the committee must report the estimated value of the contribution. WIS. ADMIN. CODE ETH 1.20(7). When the actual value of the estimated in-kind contribution is known, the actual amount is reported as an amendment to the original campaign finance report. *Id.*

### Contributions and Other Income from Businesses

Businesses may make contributions under some circumstances, but the rules vary by the type of business.

1. Corporations **may not contribute** to local or state candidates in the State of Wisconsin. WIS. STAT. § 11.1112.
2. Sole-proprietorships may contribute. The contribution must be reported under the name of the individual owner. This contribution counts toward the contribution limits from that individual to the candidate. WIS. STAT. § 11.1113(1).
3. Partnerships may contribute. The contribution must be reported under the names of the individual partners. The partnership may agree beforehand on how to allocate a portion of the contribution to each partner. If the partnership does not inform the candidate how the contribution should be allocated between the partners, then the contribution should be divided up according to each partner's share of the partnership's profits. WIS. STAT. § 11.1113(2).
4. LLCs taxed as a sole-proprietorship or partnership may contribute. The contribution must be reported under the name(s) of the individual owner(s). If there is more than one owner, contributions should be allocated as described in the partnership section above. WIS. STAT. § 11.1113(3).

Occasionally, a candidate committee may receive other income, like interest on a savings or checking account, or a refund of a security deposit, from a business. This other income is not a contribution and may be accepted from any type of business. WIS. STAT. § 11.0101(8)(b). The income should be reported as "Other Income," in campaign finance reports. WIS. STAT. § 11.0204(1)(a)10.

### Contributions Transferred through Conduits

A conduit is any individual, committee or group that receives contributions from individuals, deposits those contributions in a financial institution, and then transfers the contributions to a candidate or political committee selected by the original contributor. WIS. STAT. § 11.0101(7). The conduit may not exercise any discretion over the amount or ultimate recipient of the contributions. WIS. STAT. § 11.0701(3). A conduit is required to register with the Ethics Commission. WIS. STAT. § 11.0702.

### Reporting Conduit Contributions

Conduits are required to provide a transmittal letter with contribution checks sent to a receiving committee. The transmittal letter must identify the organization as a conduit, and list the individual contributors, the amount of each individual's contribution, and the date the individual authorized the contribution. WIS. STAT. § 11.0704(1). Contributions transferred through conduits are reported as contributions received from the individuals listed in the transmittal letter. WIS. STAT. § 11.1106(2). These contributions are reported under the individual's name. WIS. STAT. § 11.1106(1). They are subject to itemization on the same basis as other individual contributions. WIS. STAT. § 11.0204(1)(a).

### Returned Contributions

A committee may return a contribution at any time before or after it has been deposited. WIS. STAT. § 11.1110(1). Any contribution a committee returns to the donor after depositing it in the campaign account must be reported as a returned contribution to the contributor. A committee that accepts an unlawful contribution, reports that contribution, and returns that contribution within 15 days of the filing date for that report, does not violate the contribution or source limits. WIS. STAT. § 11.1110(2)(b).

### Prohibited Contributions

Certain contributions are prohibited by Wisconsin law. A candidate's campaign may not accept the following types of contributions:

1. Anonymous contributions of more than \$10 (WIS. STAT. § 11.1108);
2. Contributions in cash of more than \$100 (WIS. STAT. § 11.1107);
3. Contributions given in the name of someone other than the contributor (WIS. STAT. § 11.1204(1));
4. Contributions from corporations, associations organized under ch. 185 or 193, labor organizations, or federally recognized American Indian Tribes (WIS. STAT. § 11.1112);
5. Contributions more than the limits set by law (WIS. STAT. §§ 11.1101, 11.1204(3)); or
6. Contributions from foreign nationals. WIS. STAT. § 11.1208(4).

Licensed lobbyists can make personal contributions to candidates for local office and their candidate committees, provided that the local candidate is **not** currently holding a partisan state elective office. WIS. STAT. § 13.625(1m). Lobbyists are prohibited from making campaign contributions to state candidates for partisan state office except between the first day authorized to circulate nominations papers, and the day of the general election in the year of the candidate's election. Additionally, if the legislature is in session during that period, lobbyists may not make contributions to legislators or candidates or legislative office. *Id.* For further information on lobbyist contributions, visit the Campaign Finance Prohibited Contributions section the Ethics Commission's website (<https://ethics.wi.gov>) or contact an Ethics Commission staff member.

A candidate committee should monitor contributions carefully. If the candidate committee is aware that a contribution was received from a potentially prohibited source, the committee should ensure that the contribution is lawful. WIS. STAT. § 11.1204(3). It is recommended that a committee not accept any contributions if the committee cannot determine whether the contribution is lawful.

## Disbursements

"Disbursement" means any of the following:

1. An expenditure by a committee from the committee's depository account;
2. The transfer of tangible personal property or services by a committee;
3. A transfer of funds between committees; or
4. The purchase of a ticket for a fundraising event for a committee regardless of whether the ticket is used to attend the event.

WIS. STAT. § 11.0101(10)(a).

"Disbursement" does not include any of the following:

1. A communication made exclusively between an organization and its members. In this subdivision, a member of an organization means a shareholder, employee, or officer of the organization, or an individual who has affirmatively manifested an interest in joining, supporting or aiding the organization;
2. A communication or Internet activity by an individual acting in his or her own behalf, or acting on behalf of another person if the individual is not compensated specifically for those services, including the cost or value of computers, software, Internet domain names, Internet service providers, and any other technology that is used to provide access to or use of the Internet, but not including professional video production services purchased by the individual;
3. Any news story, commentary, or editorial by a broadcasting station, cable television operator, producer, or programmer, Internet site, or newspaper or other periodical publication, including an Internet or other electronic publication unless a committee owns the medium in which the news story, commentary, or editorial appears; or
4. A nominal fee paid for a communication to the general public.

WIS. STAT. § 11.0101(10)(b).

## Required Information for Disbursements

1. The date, full name, and street address of each committee to which the candidate committee has made a contribution, together with the amount of the contribution. WIS. STAT. § 11.0204(1)(a)2.
2. An itemized statement of every disbursement exceeding \$20 in amount or value, together with the name and address of the person to whom the disbursement was made, and the date and specific purpose for which the disbursement was made. WIS. STAT. § 11.0204(1)(a)8.
3. A statement of totals during the reporting period of disbursements made. WIS. STAT. § 11.0204(1)(a)10.

## **Obligations and Loans**

Candidate committees are required to make full reports of all obligations received, made and incurred by the committee. The committee needs to include in each report information covering the period since the last date covered on the previous report. WIS. STAT. § 11.0204(1)(a).

“Obligation” means any express agreement to make a disbursement, including the following:

1. A loan or loan guarantee;
2. A promise to purchase, rent, or lease tangible personal property; or
3. A promise to pay for a service that has been or will be performed.

WIS. STAT. § 11.0101(23).

## **Required Information for Obligations**

1. An itemized statement of every obligation exceeding \$20 in amount or value, together with the name of the person or business with whom the obligation was incurred, and the date and the specific purpose for which each such obligation was incurred must be reported in campaign finance reports. WIS. STAT. § 11.0204(1)(a)9.
2. A statement of the balance of obligations incurred as of the end of the reporting period. WIS. STAT. § 11.0204(1)(a)11.

## **Required Information for Loans**

Each loan of money made to the candidate committee in an aggregate amount or value in excess of \$20, must be reported with all of the following:

1. The full name and mailing address of the lender;
2. A statement of whether the lender is a commercial lending institution;
3. The date and amount of the loan;
4. The full name and mailing address of each guarantor, if any;
5. The original amount guaranteed by each guarantor; and
6. The balance of the amount guaranteed by each guarantor at the end of the reporting period.

WIS. STAT. § 11.0204(1)(a)7.

## **Cash Balances**

Candidate committees are required to provide a statement of the cash on hand at the beginning and end of each reporting period. WIS. STAT. § 11.0204(1)(a)6.

## CAMPAIGN FINANCE REPORTS

All registrants that are not exempt from filing must file campaign finance reports. WIS. STAT. § 11.0103(1).

The information listed on the campaign finance report discloses the financial activity of the candidate's campaign. The law requires disclosure of income, disbursements, and incurred obligations. WIS. STAT. § 11.0204(1)(a). Committee treasurers must exercise diligence in acquiring and furnishing the contributor information required on the receipt schedules. For all contributors, the report must disclose the individual's name and address. WIS. STAT. § 11.0204(1)(a)1. If the individual's year-to-date total exceeds \$200, you must also provide the individual's occupation. WIS. STAT. § 11.0204(1)(a)3.

Treasurers and candidates are required to make a "good faith effort" to obtain all information required on the reports. WIS. STAT. § 11.0103(1)(a).

### Types of Reports

Candidates on the ballot must file a pre-primary and a pre-election report which is due eight days before the primary or general election. Candidates for local nonpartisan office do not have to file pre-primary reports if they do not appear on a primary ballot. Candidates that lose in the primary or general election must continue to file reports until they are eligible for, and request, termination of their committee. Candidates must also file continuing reports in January and July of each year until they terminate their candidate committee, whether or not they are on the ballot.

With some restrictions, candidate committees that will not spend or receive more than \$2,000 in a calendar year may amend their registration and claim "exempt" status, which means they do not have to file campaign finance reports. See the section "EXEMPTION FROM FILING CAMPAIGN FINANCE REPORTS" on page 6 of this document for more information.

### Reporting Periods and Elections:

Spring Primary: A committee that engages in activity concerning a spring primary must file: (1) a pre-primary report; (2) a pre-election report; and (3) annually in each year of an election cycle, a report on January 15 and July 15. WIS. STAT. § 11.0204(2).

Spring Election: A committee that engages in activity concerning a spring election must file: (1) a pre-election report; and (2) annually in each year of an election cycle, a report on January 15 and July 15. WIS. STAT. § 11.0204(3).

Partisan Primary: A committee that engages in activity concerning a partisan primary must file: (1) a pre-primary report; (2) a pre-election report; (3) in an odd-numbered year, a report on January 15 and July 15; and (4) in an even-numbered year, a report on January 15 and July 15 and on the 4th Tuesday in September. WIS. STAT. § 11.0204(4).

General Election: A committee that engages in activity concerning a general election must file: (1) a pre-election report; (2) in an odd-numbered year, a report on January 15 and July 15; and (3) in an even numbered year, a report on January 15 and July 15 and on the 4th Tuesday in September. WIS. STAT. § 11.0204(5).

Reporting deadlines can be found on the Ethics Commission's website at:  
<https://ethics.wi.gov/Pages/CampaignFinance/ReportPeriods.aspx>

### **How to Complete Campaign Finance Reports**

The Ethics Commission requires candidate committees at the local level to file all necessary reports with the appropriate filing officer utilizing the:

- Local Campaign Finance Report Template on paper (<https://ethics.wi.gov/Resources/CF-2L>) or,
- Electronic Local Campaign Finance Report Template (<https://ethics.wi.gov/Resources/CF-2LE>) if the filing officer accepts electronic format.

WIS. STATS. §§ [11.0204\(1\)\(a\)](#), [11.1304\(1\)](#).

All contributions received by the committee must be reported in Schedule 1-A (Receipts) of the campaign finance report. Contributions and loans from individuals are listed in Schedule 1A (Contributions Including Loans from Individuals). Contributions from other committees, such as political action committees, political party committees, and other candidate committees, are reported in Schedule 1-B (Contributions from Committees). All other income such as loans from financial institutions, contributions returned from other registrants, refunds, returns of deposits or interest on investments are reported in Schedule 1-C (Other Income and Commercial Loans). The date which must be provided for all contributions is the date the committee **received** the contribution, that is, the date it acquired possession and control of the contribution, **not** the date of deposit or date on the check (unless all dates are the same). WIS. STAT. § 11.0103(2)(a)1.

All money spent by the committee is reported in Schedule 2 (Disbursements) of the campaign finance report. General operating expenditures are listed in Schedule 2-A (Gross Expenditures). Contributions to other political committees are listed in Schedule 2-B (Contributions to Committees).

Additional information required to be disclosed is reported in Schedule 3 (Additional Disclosure) of the campaign finance report. All obligations of the committee such as unpaid debts are listed in Schedule 3-A (Incurred Obligations Excluding Loans). Loans and the individuals who guarantee loans for the committee are listed in Schedule 3-B (Loans).

Schedule 4 of the campaign finance report form (Termination Request) is used for requests to terminate a committee.

### **No-Activity Report ("Postcard Report")**

If a candidate receives no contributions, makes no disbursements and incurs no obligations during a reporting period, the registrant may file a "No Activity Report" ([https://ethics.wi.gov/Resources/CF-2NA\\_Statement\\_of\\_No\\_Activity.pdf](https://ethics.wi.gov/Resources/CF-2NA_Statement_of_No_Activity.pdf)). This form should be used **only** when there has been no financial activity and the cash balance remains unchanged during the reporting period. WIS. STAT. § 11.0103(3)(d).



## **ATTRIBUTION STATEMENTS (DISCLAIMERS)**

Attribution statements, commonly referred to as disclaimers, are statements required to be placed on any communication containing express advocacy in order to identify the person(s) who paid for and/or authorized the communication. WIS. STAT. § 11.1303(2).

No disbursement by a candidate committee may be made anonymously and no contribution or disbursement may be made in a fictitious name or by one person or organization in the name of another. WIS. STAT. § 11.1303(1).

Every printed advertisement, billboard, handbill, sample ballot, television or radio advertisement, or other communication containing express advocacy which is paid for by any contribution or disbursement shall clearly identify its source. WIS. STAT. § 11.1303(2)(a).

Every communication containing express advocacy the cost of which is paid for or reimbursed by a committee, or for which a committee assumes responsibility, whether by accepting a contribution or making a disbursement, shall identify its source by the words "Paid for by" followed by the name of the committee making the payment or reimbursement or assuming responsibility for the communication and may include the name of the treasurer or other authorized agent of the committee. WIS. STAT. § 11.1303(2)(b).

Attribution statements do not apply to communications containing express advocacy printed on small items, which would normally require a disclaimer, but cannot be conveniently printed, including text messages, social media communications, and certain small advertisements on mobile phones. WIS. STAT. § 11.1303(2)(f).

### **Formats for Disclaimers**

When a communication is paid for by a candidate committee, the disclaimer must include the words "Paid for by," followed by the name of the committee:

"Paid for by Friends of Mary Smith."

The disclaimer may also include the name of the treasurer or other authorized agent:

"Paid for by Friends of Mary Smith for Mayor, James Jones, Treasurer."

When a communication is paid for by another in coordination with a candidate committee, both the person making the payment and the committee accepting the in-kind contribution should be listed:

"Paid for by Citizens for Government, Authorized by Mary Smith for Governor."

## TERMINATION OF CAMPAIGN FINANCE REGISTRATION

A candidate committee may terminate its registration if it meets the following requirements WIS. STAT. § 11.0105:

1. Determines that all financial activity will stop, and that she or he will no longer receive contributions, make disbursements, or incur obligations;
2. Files a termination campaign finance report showing that all incurred obligations have been paid or satisfied, and that the cash balance has been reduced to zero; and
3. Completes a request for termination in Schedule 4.

A candidate may not terminate his or her registration before a primary or election in which he or she is a candidate. If a candidate loses a primary, he or she may terminate before the election. WIS. STAT. § 11.0105(1)(b).

Incumbent office holders are candidates, and because candidates are required to file campaign finance registration statements; an incumbent officer holder cannot terminate his or her campaign finance registration prior to leaving office. WIS. STAT. §§ 11.0101(1)(c), 11.0202(1)(a).

Incumbents with limited financial activity may file for "exempt" status, which means they would not have to file campaign finance reports during that time. See the section "EXEMPTION FROM FILING CAMPAIGN FINANCE REPORTS" on page 6 of this document for more information.

### Disposal of Residual Funds

Residual funds may be used for any purpose that is not for an individual's strictly personal use and is not prohibited by law, including:

1. Repay any outstanding loans. If loans are not repaid, they must be forgiven before the committee can request termination;
2. Returning money to contributors in amounts that are not more than the contributor's original contribution (note: the candidate or treasurer may choose which contributors to refund. The committee is not required to pro-rate and return a portion to all contributors);
3. Donating money to any tax-exempt charitable organization or the Common School Fund;
4. Transferring money to another registrant within the permitted contribution limit; or
5. Using any combination of the above.

WIS. STAT. §§ 11.0105, 11.1208(2)(a).

Prior to making these disbursements of residual funds, make sure the committee does not have any pending fees or settlement offers.